

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 302 - HB 362

March 9, 2013

SUMMARY OF BILL: Requires local education agencies (LEAs) to continue to pay full compensation and benefits to teachers who are injured by physical assault or other violent criminal acts, less the amount of any temporary disability benefits, until the teacher is released by their physician to return to work; is determined to be permanently disabled in accordance with Title 50, Chapter 6, Part 2 of Tennessee Code Annotated; or is determined by their physician to be permanently disabled, whichever comes first.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$12,200

Increase Local Expenditures – Exceeds \$1,200*

Assumptions:

- Based on information provided by the Department of Children's Services (DCS), DCS schools are considered to be an LEA for the purposes of this fiscal note.
- According to DCS, 40 additional days of salary and benefits will be provided to at least one teacher each year as a result of assault or other violent criminal act.
- According to DCS, the daily salary benefit rate is \$224. The recurring increase in state expenditures for salary is estimated to be \$8,960 (\$224 x 40). DCS estimates benefits to be \$3,200 for the one teacher each year. The total recurring increase in state expenditures is estimated to be \$12,160 (\$8,960 + \$3,200).
- The average weekly wage paid to other teachers will be different dependent upon the LEA, the workers compensation plan of the LEA, and the salary and benefits of the teacher.
- Based on information provided by the Comptroller and the Department of Education, it is reasonably estimated that the average weekly wage is \$403.
- Data on the number of violent assaults on teachers and how long each teacher is absent from work annually is not available; however, it is reasonably estimated that at least three instances occur statewide and each teacher is out at least seven days.
- The recurring increase in local expenditures is estimated to exceed \$1,209 (\$403 x 3 weeks).

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*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" and last name "Geise" clearly distinguishable.

Lucian D. Geise, Executive Director

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